

## Message Text

LIMITED OFFICIAL USE

PAGE 01     SEOUL 10242 290907Z  
ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00  
USIE-00 INRE-00 PM-04 H-01 INR-07 L-03 NSC-05 PA-01  
PRS-01 SP-02 SS-15 OMB-01 ACDA-07 DHA-02 IO-13 TRSE-00  
/072 W

-----290910Z 018281 /20

O P 290837Z DEC 76  
FM AMEMBASSY SEOUL  
TO SECSTATE WASHDC IMMEDIATE 1265  
INFO AMEMBASSY TOKYO PRIORITY

LIMITED OFFICIAL USE SEOUL 10242

EO 11652: N/A  
TAGS: PINT KS  
SUBJ: MYONGDONG TRIAL - APPEALS COURT FINDS DEFENDANTS GUILTY BUT  
REDUCES SENTENCES A BIT

REF: SEOUL 10075

1. ON DECEMBER 29 COURT GAVE DECISION ON MYONGDONG APPEALS  
CASE. JUDGES DECLARED DEFENDANTS WERE CLEARLY GUILTY OF  
VIOLATING EM-9 IN THAT THEY HAD ISSUED DISTORTED DESCRIPTIONS  
OF POLITICAL, SOCIAL AND ECONOMIC CONDITIONS IN KOREA AND HAD  
DEFAMED YUSHIN CONSTITUTION. JUDGES, HOWEVER, DECLARED THAT  
LOWER COURT SENTENCES WERE UNREASONABLY STERN, AND THEY  
IMPOSED NEW SENTENCES WHICH REDUCED PUNISHMENT BY ABOUT  
FORTY PERCENT FOR MOST DEFENDANTS.

2. ALL SENTENCES ARE FOR TERMS IN PRISON PLUS CONCURRENT  
LOSS OF CIVIL RIGHTS. SENTENCES FOLLOW:

DEFENDANT	APPEALS COURT SENTENCE	LOWER COURT SENTENCE
	(SUPERSEDED)	
KAM TAE CHUNG (NDP LEADER )	5	8

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02     SEOUL 10242 290907Z

MUN IK HWAN (MINISTER)	5	8
YUN PO SUN (FORMER PRESIDENT)	5	8
CHONG IL HYONG (NDP ASSEMBLYMAN)	3	5
YI TAE YONG (WOMAN LAWYER)	3	5
HAM SOK HON	5	8
HAM SE UNG (PRIEST)	3	5

YI U CHONG (CHRISTIAN WOMENS LEADER)	3	5
MUN TONG HWAN (MINISTER)	3	5
SIN HYONG PONG (PRIEST)	3	5
YI MUN YONG (EX UNIVERSITY PROFESSOR)	3	5
YI HAE TONG (MINISTER)	2 (SUSPENDED)	3
SO NAM TONG (EX-UNIVERSITY PROFESSOR)	2 1/2	4
AN PONG MU (EX-UNIVERSITY PROFESSOR)	2 (SUSPENDED)	3
MUN CHONG HYON (PRIEST)	3	5
CHANG TOK PIL (PRIEST)	1 (SUSPENDED)	2
YUN PAN UNG (MINISTER)	3	5
KIM SUNG HUN (PRIEST)	2 (SUSPENDED)	2

3. TWO OF THE FOUR WHO RECEIVED SUSPENDED SENTENCES WERE FROM THE GROUP OF DEFENDANTS WHO WERE NOT DETAINED DURING THE TRIAL. THE OTHER TWO, YI HAE TONG AND AN PYONG MU, WILL BE RELEASED FROM JAIL AND REDUCE THE NUMBER OF INCARCERATED DEFENDANTS TO NINE FROM ELEVEN. THOSE DEFENDANTS WHO WERE FREE SUCH AS YUN PO SUN, CHONG IL HYONG AND YI TAE YONG, RETURNED TO THEIR HOMES AFTER THE TRIAL AND ARE APPARENTLY STILL AT LIBERTY. SINCE DEFENSE LAWYERS ARE LIKELY TO APPEAL TO THE SUPREME COURT, IT SEEMS PROBABLE THAT THE DEFENDANTS WHO WERE AT LIBERTY DURING BOTH DISTRICT AND APPEALS COURT PROCEEDINGS WILL REMAIN SO.

4. THE COURT REJECTED AN APPEAL FOR FREEDOM ON BAIL FOR THE DEFENDANTS WHO REMAIN INCARCERATED.

5. THE COURT WAS FILLED TO CAPACITY WITH AN ATTENTIVE AND SOLEMN CROWD. THE FORMAL RHYTHM OF THE COURT WAS INTERRUPTED ONLY ONCE WHEN ONE OF THOSE ATTENDING SHOUTED LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03     SEOUL 10242 290907Z

THAT THE COURT'S DECISION WAS "POLITICAL." MANY FOREIGN CORRESPONDENTS COVERED THE TRIAL AND SOME SUCCEEDED IN QUESTIONING SOME OF THE DEFENDANTS OUTSIDE THE COURT. SNEIDER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** GOVERNMENT OVERTHROW, COURT DECISIONS, POLITICAL TRIALS, POLITICAL PRISONERS, ALLEGATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 DEC 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ellisoob  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976SEOUL10242  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760474-0979  
**From:** SEOUL  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t1976126/aaaaafdi.tel  
**Line Count:** 101  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 SEOUL 10075  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ellisoob  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27 MAY 2004 by ShawDG>; APPROVED <27 SEP 2004 by ellisoob>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MYONGDONG TRIAL - APPEALS COURT FINDS DEFENDANTS GUILTY BUT REDUCES SENTENCES A BIT  
**TAGS:** PINT, KS, (KIM TAE CHUNG)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006